

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Phillip Horswell,

Civ. No. 20-11 (PAM/TNL)

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge Tony N. Leung dated May 13, 2020. The R&R recommends that Petitioner Phillip Horswell's "Presentation of Evidence" Petition for habeas-corpus relief be denied and no certificate of appealability be granted. Horswell failed to file objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 5).

Accordingly, **IT IS HEREBY ORDERED that:**

1. The Petition (Docket No. 1) is **DENIED**;
2. This action is **DISMISSED without prejudice**; and
3. No Certificate of Appealability will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 17, 2020

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge